

Hasard's Gazette

VOL. 22.

CHARLOTTETOWN, PRINCE EDWARD ISLAND, TUESDAY, FEBRUARY 3, 1852.

NO. 1140.

LAND ASSESSMENT.

THE TREASURER'S OFFICE, CHARLOTTETOWN, P.E. ISLAND, January 19, 1852.

IN pursuance of the Act of the General Assembly of this Island, made and passed in the Eleventh year of the reign of Her Majesty Victoria, entitled "An Act for levying further an Assessment on all Lands in this Colony, and for the encouragement of Education," and of an Act made in amendment thereof, and passed in the Fifteenth year of Her said Majesty's reign, entitled "An Act to explain and amend the present Act for the Assessment of Land and the encouragement of Education," I do hereby give public notice, that I have issued a Proclamation, according to the terms of the said Act, of the undivided Town Lots, Water Lots, Pasture Lots, and parts of Townships in this Island, in arrears for the non-payment of the several sums due and owing thereon to Her Majesty, under and by virtue of the said Act.

Township No.	ACRES.	Township No.	ACRES.
1	4388	33	500
2	1149	34	800
3	1587	41	500
4	2900	42	500
5	371	43	2973
6	2397	44	2962
7	821	45	88
8	5512	46	70
9	1529	47	4310
10	895	48	440
11	2769	49	775
12	1441	50	440
13	1803	51	781
14	4547	52	1573
15	365	53	2270
16	1129	54	1360
17	460	55	1341
18	304	56	1731
19	460	57	1175
20	294	58	1100
21	800	59	1490

Charlottetown, 1st Hundred Town Lots, of No. 43.

Charlottetown, 2d do. do. of No. 97, of No. 98.

Pasture Lots in Charlottetown, Nos. 197, 231, 252, 258, 268, 274, 283, 348, 459, 460, and 1 of 563.

Town Lots in Georgetown, of No. 7, 1st Range, Letter B.

2, 3d Range, Letter B.

3, 3d Range, Letter G.

12, 3d Range, Letter G.

2, 4th Range, Letter A.

Pasture Lots in Georgetown, Nos. 5, 69, 89, 90, 108, 119, 120, 121, 147.

Town Lots in Princetown —

No. 1, 2, 3, 4, 5, 6, 7, 8, 1st Row

1, 2, 3, 4, 5, 6, 7, 8, 2d Row

1, 2, 3, 4, 5, 6, 7, 8, 3d Row

1, 2, 3, 4, 5, 6, 7, 8, 4th Row

1, 2, 3, 4, 5, 6, 7, 8, 5th Row

1, 2, 3, 4, 5, 6, 7, 8, 6th Row

1, 2, 3, 4, 5, 6, 7, 8, 7th Row

1, 2, 3, 4, 5, 6, 7, 8, 8th Row

1, 2, 3, 4, 5, 6, 7, 8, 9th Row

1, 2, 3, 4, 5, 6, 7, 8, 10th Row

1, 2, 3, 4, 5, 6, 7, 8, 11th Row

1, 2, 3, 4, 5, 6, 7, 8, 12th Row

1, 2, 3, 4, 5, 6, 7, 8, 13th Row

1, 2, 3, 4, 5, 6, 7, 8, 14th Row

1, 2, 3, 4, 5, 6, 7, 8, 15th Row

1, 2, 3, 4, 5, 6, 7, 8, 16th Row

1, 2, 3, 4, 5, 6, 7, 8, 17th Row

1, 2, 3, 4, 5, 6, 7, 8, 18th Row

1, 2, 3, 4, 5, 6, 7, 8, 19th Row

1, 2, 3, 4, 5, 6, 7, 8, 20th Row

1, 2, 3, 4, 5, 6, 7, 8, 21st Row

1, 2, 3, 4, 5, 6, 7, 8, 22nd Row

1, 2, 3, 4, 5, 6, 7, 8, 23rd Row

1, 2, 3, 4, 5, 6, 7, 8, 24th Row

1, 2, 3, 4, 5, 6, 7, 8, 25th Row

1, 2, 3, 4, 5, 6, 7, 8, 26th Row

1, 2, 3, 4, 5, 6, 7, 8, 27th Row

1, 2, 3, 4, 5, 6, 7, 8, 28th Row

1, 2, 3, 4, 5, 6, 7, 8, 29th Row

1, 2, 3, 4, 5, 6, 7, 8, 30th Row

1, 2, 3, 4, 5, 6, 7, 8, 31st Row

1, 2, 3, 4, 5, 6, 7, 8, 32nd Row

Road District No. 5, Queen's County.

I HEREBY give notice, that I will on Wednesday, the 4th day of February, sell by Public Auction to the lowest bidder, the cutting down, levelling, and repairing the Pitches or Cradle Hills on the Main Post Road in the above District, from Mabley's Bridge, to the Prince County Line. Sales to commence at the following times and places: John Hall's, at nine o'clock; same day, at Mabley's Bridge, at eleven o'clock; same day, at Garvie's, Bonshaw, at one o'clock.

The Contracts to remain in force till the Snow is all gone.

JOSEPH TROWDALE, Commissioner.

Charlottetown, January 29, 1852.

FOR HAZARD'S GAZETTE.

(SECOND ADVERTISEMENT.)

To the Tenant, and whenever it may concern;

I am very willing to be corrected by any person of good intentions; but it is not from the silly twaddles of one who signs himself "Fitzroy," or from the slang of the Islander, that I could receive any instruction. They are employed, and do not, well paid, to mystify, perplex and disguise the truth; and to draw your attention from gaining any knowledge of what is your right, and from understanding what ought to be studied, your true interests. "Fitzroy" would have you to believe, that my petition on behalf of the tenant, is defective in its prayer. The petition prays, that the subject may be taken into consideration: Now, the subject of the petition goes to show, that the township lands are forfeited; that the escheat of the forfeited lands was made an absolute and imperative condition, by the solemn Act of the King in Council; that under the deceptive color of a purchase of the forfeited lands by the colonial authorities and others; they have set aside the Act of the King in Council, and usurped an ownership over the public lands; that by deceit and threatened prosecutions, the assumed owners prevailed with the agricultural population, to attend and execute leases, to pay rent to them, and in some instances, to buy and pay for the fee simple interest of the land; that such obligations, on the part of the tenant, are contrary to our Courts of Law as conclusive evidence of a just debt, and a cover for all the guilt of the assumed landlord; and he obtains a judgment in his favour, as a reward for his treachery!

Therefore, the petition prays, that some Act or impediment exist, which would set aside the lease, and restore the land to the Crown, according to its true intent, and the merits of the case. And the petition prays the Legislature to remove such impediments, that the tenant might bring an action against his assumed landlord, and proceed to judgment according to the merits of the whole case.

The British dominions are the most extensive any government on earth, and a great part of it fit for the habitation, the comfort and enjoyment of men; and the constitution for the government of these extensive dominions is most perfect, just and equitable in theory; and if carried into practice, will enable Great Britain to keep the lead of all nations in the march of improvement, prosperity and power. But that constitution depends upon the opinions and actions of men at home and abroad; and it becomes the duty of every man in authority, and under authority, as they value the prosperity and honor of their country, as they respect and venerate truth and justice, as they discriminate between right and wrong; as they impose on others wrongfully, or suffer themselves to be so imposed on, by unconstitutional authority.

According to the theory of the British constitution, the Crown is the trustee to receive, to hold and to dispose of the public lands, and whether it be to grant, to lease, or to sell the public lands, it must have for its object the political and social well-being of the country; and wherever this is carried into practice in the colonies, that country will prosper. In colonies depending on agriculture, the agricultural improvement of individuals is the improvement of the country; and if they are allowed to remain their own means to proceed with improvement, the country will soon yield not only an abundance to supply all its wants, but a surplus for merchandise, commerce and employment for all branches of industry, which would add ornament to usefulness, and wealth to most contingencies. But this cannot be done, while the agricultural population have to take the land at exorbitant rates from grantee, or at high rates from land agents, whose object is to make all the money of it they can.

If the Crown grants were to be viewed in no other light than as a boon or gift to eager expectants, who were not expected to improve the land, but to make money of it by lease or sale to labouring people; this would be to encourage idleness, and to reduce the number of the industrious and labouring class, and reduce them to poverty. The sumptuousness from the agricultural people, by grantees and land agents for the price or rent of wild land, is taking the same amount from the country, and applying it to support idleness and vice. Yet the like has been permitted and is permitted; and it exposes a disease and an unhealthy state of the British constitution, and bears the same relationship to that constitution which a cancer does to the constitution of the human body, and it must be amputated, or the body will languish and perish.

The very nature of a grant from the Crown to one person to settle a number of other persons, suppose such persons, incapable of making terms of settlement for themselves; the grantee alone is answerable for the terms of settlement. The grant is an order from the Crown, that the grantee should settle a certain number of persons, and that the settlements made by the Crown. If the grantee accept the grant, he must perform the settlement or resign his grant to the Crown, and petition to be relieved from his obligations. But it is well known in some quarters, that many of the grants were not accepted. The grantees were not taken up by the grantees, until they or some other persons in their stead, were encouraged to do so by seeing the safe and profitable way the usurpers had made of the agricultural population; and while those grants were not claimed, the lands remained a waste again to the usurpers; and to remove these witnesses out of the way, a partial escheat was thought of, which only obnoxious prevents.

It is twenty years since I gave my opinion publicly, that the tenant ought to have been settled in the same manner as the free persons have been settled by the Crown; and my opinion was well known when I took my seat in the House of Assembly. It was then I was invited to a private meeting, which had for its object a partial Escheat. It was made to appear at that meeting, that there were several townships without any land agent to represent them, and squatters were taking the land without any authority, and consequently setting a very bad example to the tenant and others who bought their lands. That there were many of the most respectable people well entitled to a grant of land, but the government had scarcely any crown lands at their disposal; and if I would give up my own views, be guided by them, and go for a partial Escheat, I would come in for a share of the land.

To obtain this partial Escheat, it became necessary to enact a law for that express purpose: the enactment was to make new conditions of forfeiture, which were not meant in the grants to be a forfeiture; and to overlook those conditions, which the grants themselves declared to be a forfeiture, and in the re-granting of the lands, the government were not to be limited as to the quantity of land to be granted to one person; nor were they to be restricted with any conditions for settlement or improvement. The parties who were expecting new grants, were men who were not likely to improve the land themselves, but they expected large tracts of land to be let on lease, or to sell to the agricultural people at the highest price which could be obtained; and thereby to sanction by an enactment of the Legislature and the Government the impossibility of the usurpers upon the agricultural inhabitants. And instead of being a boon to the colony, it was intended as a bribe, to stop the mouth of those who were likely to disturb the landlords in their usurped possessions. And when you meet a man of intelligence who says, that the partial Escheat would have been a boon to the colony, he either expected a grant, or he favours the usurpation of the landlords; but if it is said by one who has learned it from others, you may impute it to his ignorance.

I have never sought for any Escheat but this, that a court should be appointed to try the grants by their own conditions. I could not have had the rents reduced to six-pence an acre by any arrangement with Gov. Fitzroy, any such arrangement would have been compromising a crime. It is now in the hands of a Responsible Government, and it is to be hoped they will not disappoint the country.

Yours, &c.,

WILLIAM COOPER.

Charlottetown Mutual Fire Insurance Company.

The Third Annual General Meeting of the above Company took place at the Town Hall, in Charlottetown, on Friday evening, the 29th inst., at seven o'clock, pursuant to notice published in the several newspapers.

The President having taken the Chair, called on the Secretary to read the notice convening the meeting.

The Secretary having read the advertisement which gave notice that the meeting was the Annual General Meeting of the Company, for the appointment of Officers for the current year, and other purposes.

The President then requested the Secretary to read the Report, which is as follows:

The Annual General Meeting of this Company affords the Directors the pleasure of meeting the Proprietors for the Third time since its institution. Three years have passed over since the formation of this Society, and the kind and of Providence has protected it against any loss whatever.

The Capital of the Company, therefore, continues to increase in Amount, as it increases in years, steadily stretching forth its protection over houses after house. And the Directors look forward, in hopes of yet seeing, the owner of every house in Town protected from the effects of that direful element, that has so frequently, in other countries, and in the course of a few short hours, deprived hundreds and thousands of all they possessed. The Directors, however, cannot help expressing their surprise and regret, that in a comparatively wooded Town like this, there should exist such a degree of apathy among its inhabitants generally with regard to Fire Insurance; and the Directors believing that at this day there is few over one-third of the buildings in Town insured in any amount. The Directors are thus induced to express their surprise and regret, because they feel well assured that it is not the want of means of paying the trifling sum of three or four pounds yearly, as Premiums that prevent the owners of property from insuring, but a degree of carelessness and want of thought, attributable in consequence of Fires having hitherto occurred so seldom in this Town; yet, how many persons are to be found in our streets, owners of houses, the rents of which are their main support, and who consider themselves in a measure independent, and feel an inward satisfaction in having it in their power to devise these houses among their children at their death, when, in all probability, they have not one shilling insured on any of them, and consequently might, in a few hours, have nothing more than a mass of ruins left to themselves, or, at any rate, are they doing justice to your families, in running such risks! The Directors feel satisfied that there are many who would be totally ruined, and their families left destitute, if their houses and goods were consumed by that all devouring element. Some may say, and do say, they never insure, because they believe themselves to be uncommon careful, regarding fire, and they never have a vest without secure. The Directors would ask such, are you perfectly extinguished. But the Directors would ask such, can they answer for their neighbours? What matter how careful one may be, when perhaps the house adjoining him is occupied by a grog shop, in which the fire is seldom, or never quenched; where lighted candles and tobacco pipes are constantly, and incautiously used. How few are there, either professional men, merchants, or tradesmen, who are owners or proprietors of property, but could afford, say, from Three to Four Pounds a year! Consider then, that sum would keep from Three to Four HUNDRED POUNDS always secure in case of accident.

The Directors feel much pleasure in having it in their power to inform the Proprietors, that the Funds of the Company continue steadily to increase, and that they have already added some few hundred Pounds, that would otherwise have been sent out of the country. Yet the Directors regret that this Institution is not still more encouraged. Had even two thirds of the owners of property in Charlottetown united, and joined this Company, at its commencement, it would already have been in a position that would have enabled it to reduce the future premiums to one-half what is charged by all other Companies. Consider then the advantage that might, by this time, have been derived in this Company over others. To those careful persons, who keep large sums insured, the Directors would say: Insure PART in this Company, and the remainder in another, until you are satisfied the Capital accumulated is sufficient to justify your insuring the whole.

The Directors have observed, that at the close of the first year, the Capital of this Company, in Bonds, Treasury Warrants, Cash and Interest, amounted to the sum of £439 6s. 9d.; that at the close of the second year, the Capital of the Company, consisting as above, amounted to the sum of £612 17s. 4d.; and at the close of the third year, that is to say, on the 31st day of December last, the Capital amounted to £774 6s. 9d. as appearing by the auditors' report, showing, as before observed, that the Funds of the Company continue steadily increasing. The Proprietors are aware that all outstanding risks cease with the year. The Directors observe, that since the close of the year upwards of £80, in addition, has been received for renewals, which, of course, will form part of the present year's funds, but which will be added to the £774 6s. 9d. of capital now available; and the Directors observe, that several New Policies have been issued, and influential persons joined the company the present year.

The Directors recommend the new Board to continue to take moderate risks, well spread, avoiding too large sums in one building—that every Member of the Company should use his influence, with his neighbours, to induce him to join this Company, by which means, the Directors will have it in their power to reduce the present rate of premium, the great object this Company has in view, and which the Directors feel satisfied, will be the most effectual means of more rapidly increasing its business, and sustaining within the Colony so desirable and useful an institution.

The Secretary then observed, that if there was any member of the Company present who wished for any further information regarding the operations of the Institution, he would be most happy to afford it. No member having put any question: On motion of Mr. John Rider, seconded by Mr. Wm. C. Towns—

Resolved, That the Report be adopted and published.

The President having then informed the meeting that agreeably to the Act of Incorporation, they had to elect thirteen Directors, five of whom were first to be elected out of the present Board of Directors, the meeting immediately proceeded to do so, when

E. L. Lydiard, Esq. P. Macgowan, Esq.
Henry Hazard, Esq. Mr. George Beer, jun.
Daniel Bressan, Esq. were duly re-elected.

The Company then proceeded to the election of eight other persons from among themselves, when the following were duly elected, viz:

Hon. W. W. Lord, Mr. John Ings,
Benj. Davies, Esq. John Treisman,
Mr. William Heard, John Rider,
John Gainsford, Richard Heats.

The foregoing persons will come into office on the 31st day of January, instant, as the Board of Directors for the present year.

On motion of Mr. Macgowan, seconded by Mr. Hazard—

Ordered, That the Secretary inform the new members of their appointment.

Ordered, That the expenses of Advertising be reduced.

By Order of the Board,
HENRY PALMER,
Secretary & Treasurer.

January 29th, 1852.

Legislative Proceedings.

HOUSE OF ASSEMBLY.

SATURDAY 3TH.

MORNING SITTING.

HOUSE IN COMMITTEE OF THE DRAFT ADDRESS IN ANSWER TO HIS EXCELLENCY'S SPEECH.

(Continued.)

Mr. FLYNN in the Chair.

Mr. SPEAKER. If he understood Mr. Davies right, he merely proposed the forfeiture of lands for which there were no titles at all.

Hon. Mr. COLES. Well, but he had not chosen the proper time and place even for that. If that was what he desired, he ought to bring in a Bill to effect it. The amendment, if adopted, would be implied in that amendment, but as they had not, it was outside for what? Merely because they had not been able to accomplish all their objects in the course of a few months.

Hon. Mr. WHELAN observed that, in a young Colony like this, and where Responsible Government had only just been established, it was not to be expected that the Governor's Speech should specify all the measures of which his Government contemplated the introduction. Their ideas, with respect to many questions might not be very clearly developed, and there was no necessity for having every thing they proposed set forth in the Speech. Besides, he was not prepared to admit, that the Speech of the Governor, like that of the Sovereign in Britain, was an act of the Government. If with respect to the subject of Mr. Davies's amendment, or any other question of vital importance, the Government had been negligent of their duties, they would have merited such censure as was implied in that amendment, but as they had not, it was outside in any friend of the Government to introduce any thing calculated to create division among its supporters.

Mr. YEO. As for the Fishery Reserves, did any one suppose that the Government could take them for any other purpose than that for which they were reserved? It would be quite as reasonable to suppose, that because in the original grants, reservations are made for roads, the whole of the lands might be taken for that purpose; as to suppose, that the Fishery Reserves could be taken for any other purpose than the fisheries. But, for any purpose, it was most unreasonable to take away the shores from farms. Some would be of very little value without them.

Hon. Mr. WARBURTON. If the honorable member would only go to His Excellency and enquire of him what laws respecting Fishery Reserves, he, as a Member of the British Parliament, had helped to pass, he might learn, that in Scotland, a part of the Fishery Reserves was alienated, by legislation, for the public benefit, for the purposes for which they were originally reserved. However, whether he may do that or not, he may yet learn by experience, in that House, that the Legislature has power to deal with all public property, in the way in which it may appear it can be made most conducive to the public interests.

Mr. MOONEY. As respected the Fishery Reserves, it was the expectation of the people that they would be put to some good use. He had never dreamed that the Lands would be escheated, and the people were entertained no hope of such a measure. They did expect, however, to derive some benefit from the Fishery Reserves and the Crown Lands,—and for his own part, he thought they could in no way be made so conducive to the public interests, as by being made available for the furtherance of the Free Education scheme.

Mr. DAVIES. If the Address were unanimously agreed to as brought in, he thought, members would be deluged from bringing in any measure reaching beyond the scope of the Legislative action which it indicated as proposed by the Government.

Hon. Mr. COLES. He could assure the honorable member that, the unanimous adoption of the Address would involve no such disability. He would be perfectly at liberty to introduce any measure he might please to submit to the House.

Hon. Mr. POPE. If the Government find that any lands are held by individuals whose titles have not been recognized by the House of Assembly, the honorable member (Mr. Davies) may rest satisfied that they will not fail to discharge their duty to the public; and, even with respect to grants which have been illegally made by the local government, they will not be slow to resume possession on the behalf of the public.

Hon. Mr. COLES. They were not in a position to coerce the House of Assembly. What they got, they would have to get by fair means. The sixteenth Bill was supported by a majority in that House, by a majority in the Legislative Council, and by His Excellency the Governor, and, if so supported, they could not secure it at a season of the year more convenient to us than that at which your Excellency was necessarily obliged to summon us at the opening of the last Session.

It affords us sincere gratification to learn that your Excellency's visit to the different localities of this Island, after the prorogation of the last Session, was characterized by great kindness towards your Excellency on the part of the Inhabitants of the Colony, and by the expressions of loyalty and attachment to Her Majesty's person and throne, which all classes of Her subjects in this Island seemed anxious to impress upon you.

It is the sincere regret of the House of Assembly, that the inestimable blessings of Education are not more widely diffused throughout this Island, and the necessity for a more efficient system has long been apparent to us. We are glad, therefore, to learn that this subject has occupied the anxious attention of your Excellency's Government; and we beg to assure you, that any measure submitted to us in relation to it shall receive at our hands that impartial and serious deliberation which its great importance demands.

We are gratified to learn that the Loan of £10,000, which the Legislature, last year, authorised the Government to borrow, has been easily effected at 5 per cent., and that all obligations which the Treasury has now to discharge are subject to no higher rate of interest than 5 per cent.—thus effecting an important saving to the Colony.

The accidental omission of a clause in the Civil

LEGISLATIVE COUNCIL CHAMBER.

Thursday, January 22, 1852.

RESOLVED, That the following Standing Order of this House be inserted three times in each of the Newspapers published in Charlottetown, for the information of the public:

"That no Bill, Resolution or other proceeding, founded upon any application addressed to the House of Assembly, be obtained by the Council, unless an application to the same effect, with such documents as may accompany the same, be also presented to the Council in General Assembly."

CHARLES DESBRISAY, C.L.C.

IN THE HOUSE OF ASSEMBLY.

Thursday, January 22, 1852.

RESOLVED, That no petition praying aid for Roads, Bridges, or Wharfs, or for any object of a local or private nature, be received after FRIDAY, the Twentieth day of February next.

Ordered, That the above Resolution be inserted in each of the Newspapers published in Charlottetown.

JOHN MACNELL, C. H. A.

WINTER ARRANGEMENTS OF MAILS.

THE MAILS for the neighbouring Provinces, during the Winter, will be made up at this Office, every FRIDAY at One o'clock, to be forwarded to Cape Breton and Cape Tormentine commencing on FRIDAY the 6th of February instant, and the Mails for England will be forwarded on

Friday 12th February, and " 27th February.

THOMAS OWEN, Postmaster General.

General Post Office, Charlottetown, Feb. 1, 1852.

The Mails from Nova Scotia will be despatched every Monday night. (All the Papers.)

NOTICE.

OWNERS of Farm-standings or Proprietors of Land for Sale, and to Let or Lease, in Prince Edward Island, are solicited to communicate with the Subscriber, as to terms and particulars of same, for the information of intending settlers of small capital, and of the Society of Agriculturalists to be held at Charlottetown, on the 21st of February, 1852. An early notice, per Post (prepaid), will most attention.

WILLIAM LAMONT, General Com. Agent.

2 Howard Street, Glasgow, 5th September, 1851.

ALMANACK for 1852.

JUST PUBLISHED, THE PRINCE EDWARD ISLAND CALENDAR for 1852. With this New Almanack, a new series which will be found most improved. The Calculations have been made specially for the Island.

December 21, 1851.

WILLIAM COOPER.

at his Office, Queen Square.

at his Office, Queen Square.

at his Office, Queen Square.

at his Office, Queen Square.

at his Office, Queen Square.

at his Office, Queen Square.

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